


**Defendant.**

07 Civ. 11123 (GEL)

**THOMAS  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

VOYAGER SHIPHOLDING CORP.

Plaintiff,

- against -

HANJIN SHIPPING CO., LTD.,

Defendant.

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X

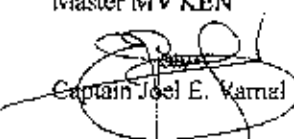
07 Civ. 11123 (GEL)


**DECLARATION OF  
IN SUPPORT OF PLAINTIFF'S  
OPPOSITION TO MOTION FOR COUNTERSECURITY**

I, Joel E. Varnal, Master of the vessel "KEN" declare under penalty of perjury of the laws of the United States of America as follows:

1. I am the Master of the Motor Vessel KEN, a single decker Bulk Carrier flying the Marshall Islands Flag with IMO Number 916 6871 and Official Number 1875.
2. I joined the vessel "KEN" in Zhanjiang, China on July 26<sup>th</sup> 2005 as Master of the vessel. I remained the Master of said vessel continuously until 25/04/2006 when I disembarked in Houston, TX.
3. After a load of steel scrap cargo at the Port of Newark, New Jersey (sailed 17-Jan-2006), my vessel was ordered to proceed for discharge at Nemrut Bay, Turkey for the account of Mssrs Hanjin Shipping who were my Time Charterers at that time. I was also informed that this scrap cargo was going to be the last cargo under said time charter and that Hanjin Shipping would then redeliver the vessel to her Owners. The discharge at Nemrut Bay finished on February 17, 2006 at 1320h Local time (l/t) and the vessel sailed on February 18, 2006 at 2100h l/t.
4. Due to the fact that my vessel did not have immediate employment and were waiting for her next cargo ex Mylaki, Greece (fixed with Mssrs Eitzen, Denmark), at the request of my Owners, Mssrs Voyager Shipholding Corp, vessel's Class Society NKK carried out underwater survey (with certified divers) in lieu of drydocking. Said survey was effected on February 21, 2006. Specifically from 1030h to 1800h l/t. This completed the drydocking requirement of the vessel and no additional surveys were required.

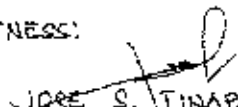
5. As per the vessel's official logbook divers and class NKK came on board February 21, 2006 at 1010h l/t. Diving survey successfully completed on February 21, 2006 at 1800h l/t.
6. I hereby confirm that as said survey does not in anyway interfere with vessel's commercial operations (i.e. loading/discharging), it could just as easily been done in either Narmut Bay or Mylaki, Greece (vessel loaded cement with loading arm, therefore divers would not interfere in any way).

Master MV KEN  
  
Captain Joel E. Varnal



Executed on January 10, 2008 at DAMMAM, K.S.A.

WITNESS:

  
JOSE S. TINAPAY  
CHIEF OFFICER